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September 17, 2004

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Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Art Unit To be assigned
Mail Stop Amendment

Re: U.S. Utility Patent Application
Application No. 10/728,872; Filed: December 8, 2003
For: **Nozzle Tip and Seal**
Inventor: George Olaru
Our Ref: 2107.1760001/TUM/NRK

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Information Disclosure Statement;
2. PTO/SB/08a and PTO/SB/08b (3 sheets);
3. Copies of cited documents: : BA1-BC1 and AA3; and
4. Return postcard.


It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents
September 17, 2004
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

 ALBERT L. Ferno
REG. NO. 44,679
for Teresa U. Medler
Attorney for Applicant
Registration No. 44,933

TUM/hmb
Enclosures

310579



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

George Olaru

Appl. No.: 10/728,872

Filed: December 8, 2003

For: **Nozzle Tip and Seal**

Confirmation No.: To be assigned

Art Unit: To be assigned

Examiner: To be assigned

Atty. Docket: 2107.1760001/TUM/NK

Information Disclosure Statement

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO/SB/08A AND PTO/SB/08B are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Applicant has listed publication dates on the attached PTO/SB/08A AND PTO/SB/08B based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicant reserves the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent

application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Applicant has checked the appropriate boxes below.

- ☐ 1. Statement under 37 C.F.R. 1.704(d). Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this information disclosure statement.
- ☒ 2. Filing under 37 C.F.R. § 1.97(b). This Information Disclosure Statement is being filed within three months of the date of filing of a national application other than a continued prosecution application (CPA), OR within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application, OR before the mailing date of a first Office Action on the merits OR before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.
- ☐ 3. Filing under 37 C.F.R. § 1.97(c). This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application.
 - ☐ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first

cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

☐ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

☐ c. Attached is our PTO-2038 Credit Card Payment Form in the amount of \$_____ in payment of the fee under 37 C.F.R. § 1.17(p).

☐ 4. Filing under 37 C.F.R. § 1.97(d) This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Enclosed find our PTO-2038 Credit Card Payment Form in the amount of \$_____ in payment of the fee under 37 C.F.R. § 1.17(p); in addition:

☐ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

- ☐ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- ☐ 5. The document(s) was/were cited in a search report by a foreign patent office in a counterpart foreign application. Submission of an English language version of the search report that indicates the degree of relevance found by the foreign office is provided in satisfaction of the requirement for a concise explanation of relevance. 1138 OG 37, 38.
- ☒ 6. A concise explanation of the relevance of the non-English language document appears BB1 appears in the translated abstract attached thereto.
- ☒ 7. Copies of documents BA1, BB1, BC1 and AA3 are submitted herewith.
- ☐ 8. Copies of the documents were cited by or submitted to the Office in an IDS that complies with 37 C.F.R. § 1.98(a)-(c) in Application No. _____, filed _____, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).
- ☒ 9. No copies of U.S. patents and patent application publications cited on the attached Form PTO/SB/08A AND PTO/SB/08B are submitted in accordance with 1276 OG 55 because this application was filed after June 30, 2003.

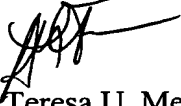
- ☐ 10. It is expected that the examiner will review the prosecution and cited art in the parent application no(s). _____ in accordance with MPEP 2001.06(b), and indicate in the next communication from the office that the art cited in the earlier prosecution history has been reviewed in connection with the present application.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO/SB/08A AND PTO/SB/08B, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.


for Teresa U. Medler
Attorney for Applicant
Registration No. 44,933
ALBERT L. FENNO
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Date: September 17, 2004

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Complete if Known**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 3

Application Number	10/728,872
Filing Date	December 8, 2003
First Named Inventor	George Olaru
Art Unit	To be assigned
Examiner Name	To be assigned
Attorney Docket Number	2107.1760001/TUM/NK

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AA1	US- 4,173,448	11/06/1979	Rees et al.	
	AB1	US- 4,268,240	05/19/1981	Rees et al.	
	AC1	US- 4,268,241	05/19/1981	Rees et al.	
	AD1	US- 4,279,588	07/21/1981	Gellert	
	AE1	US- 4,286,941	09/01/1981	Gellert	
	AF1	US- 4,662,837	05/05/1987	Anderson	
	AG1	US- 5,208,052	05/04/1993	Schmidt et al.	
	AH1	US- 5,299,928	04/05/1994	Gellert	
	AI1	US- 5,421,716	06/06/1995	Gellert	
	AJ1	US- 5,492,467	02/20/1996	Hume et al.	
	AK1	US- 5,545,028	08/13/1996	Hume et al.	
	AL1	US- 5,554,395	09/10/1996	Hume et al.	
	AM1	US- 5,795,599	08/18/1998	Gellert	
	AN1	US- 5,871,786	02/16/1999	Hume et al.	
	AO1	US- 5,879,727	03/09/1999	Puri	
	AP1	US- 6,022,210	02/08/2000	Gunther	
	AQ1	US- 6,050,806	04/18/2000	Ko	
	AR1	US- 6,074,195	06/13/2000	Belous	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ Number ⁴ Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
	BA1	EP 0 743 158 B1	08/04/1999	Gellert		
	BB1	JP 10034708	02/10/1998	Satoshi		
	BC1	DE 100 08 722 A1	08/30/2001	Braun		X

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

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Sheet 2 of 3

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Application Number	10/728,872
Filing Date	December 8, 2003
First Named Inventor	George Olaru
Art Unit	To be assigned
Examiner Name	To be assigned
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U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	AA2	US- 6,164,945	12/26/2000	Ishibashi et al.	
	AB2	US- 6,227,461	05/08/2001	Schroeder et al.	
	AC2	US- 6,245,278	06/12/2001	Lausenhammer et al.	
	AD2	US- 6,264,460	07/24/2001	Wright et al.	
	AE2	US- 6,309,208	10/30/2001	Kazmer et al.	
	AF2	US- 6,315,549	11/13/2001	Jenko et al.	
	AG2	US- 6,331,106	12/18/2001	Helldin	
	AH2	US- 6,428,305	08/06/2002	Jenko	
	AI2	US- 2001/0033044	10/25/2001	Fikani	
	AJ2	US- 2003/0082264	05/01/2003	Babin et al.	
	AK2	US- 2003/0118688	06/26/2003	Bazzo et al.	
	AL2	US- 5,885,628	03/23/1999	Swenson et al.	
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FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet

3

of

3

Complete if Known

Application Number

10/728.872

Filing Date

December 8, 2003

First Named Inventor

George Olaru

Art Unit

To be assigned

Examiner Name

To be assigned

Attorney Docket Number

2107.1760001/TUM/NK

NON PATENT LITERATURE DOCUMENTS

Examiner
Initials*Cite
No.¹

Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.

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Signature

Date _____

Data Considered

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1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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